

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EDWARD CHARLES HOLLAND	§	
VS.	§	CIVIL ACTION NO. 1:06cv779
THE STATE OF TEXAS	§	

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Edward Charles Holland, proceeding *pro se*, filed a "Motion for Extension of Time to Prepare Writ under 28 U.S.C. § 2254." The court referred the matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the matter be dismissed without prejudice for lack of subject-matter jurisdiction.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. Mr. Holland filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion the objections are without merit.

ORDER

Accordingly, the objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in accordance with the magistrate judge's recommendation.

So **ORDERED** and **SIGNED** this **14** day of **September, 2007**.



Ron Clark, United States District Judge

